

IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL WRIT No. 5721 of 2005

RAISAHIB BISHNOI
V/S
STATE & ANR.

Mr. HS SIDHU, for the appellant / petitioner

Mr. BL BHATI, A.G.A. for the respondent

Date of Order : 24.4.2006

HON'BLE SHRI N P GUPTA, J.

ORDER

The case is listed in the cause list at S.No. 128, and in accordance with the note published in the cause list, this was mentioned to the court master as urgent matter. With the consent of learned counsel for the parties the matter was heard.

Learned counsel for the petitioner relied upon the judgment of this Court in Bhanwar Singh Vs. State of Rajasthan being S.B.Civil Writ Petition No. 2599 of 2002 decided on 9.2.2005. Learned counsel for the State submits that, that case was decided on the basis of the fact that it was admitted therein that the petitioner was compulsorily retired. Learned counsel was pointedly asked as to whether in this case also the petitioner has been compulsorily retired, or not on the face of order Annexure P/1 to which the learned counsel for the respondent agrees

that he was compulsorily retired.

In that view of the matter, the controversy involved in the present case is covered by Bhanwar Singh's case. Therefore, for the same reasons the writ petition is allowed granting the same relief.

(N P GUPTA), J.

/Sushil/